



April 23, 2010

VIA CM/ECF

Hon. Neal P. McCurn
Senior U.S. District Judge
Federal Building and U.S. Courthouse
P.O. Box 7365
Syracuse, NY 13261-7365

Re: Gareth D. Wood vs. Capital One Services, LLC, et al, 09-cv-1445

Dear Judge McCurn:

Pursuant to LR 7.1(j), Plaintiff Gareth D. Wood and Defendants Capital Once Services, LLC, and Capital One Bank (USA), N.A., respectfully request an adjournment of the return date for Defendants' Fed. R. Civ. P. 12(b)(6) motion currently pending before the Court.

The parties have agreed to adjourn the return date to May 25, 2010 with the Plaintiff to file and serve his opposition papers by May 3, 2010, and the Defendants to file and serve their papers in reply by May 10, 2010.

We thank the Court in advance for considering this Letter Motion.

Gareth Wood
By his Attorneys,

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**Capital One Services, LLC, and
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By their Attorneys,

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Certificate of Service

I hereby certify that on this the 23rd day of April, 2010, a copy of the foregoing was filed with the Clerk of the Court via the CM/ECF system which sent notice of such filing to the following to all counsel of record.

April 23, 2010

/s/ Sergei Lemberg
Sergei Lemberg